

CONNECTICUT DEPARTMENT OF TRANSPORTATION  
AFFIRMATIVE ACTION DISCRIMINATION COMPLAINT PROCEDURE

The Department has implemented a procedure to handle discrimination complaints that include the components required by Connecticut General Statutes Section 46a-68-46. The Department's Affirmative Action Discrimination Complaint Procedure, addresses only allegations of discrimination complaints regarding the individual's protected class status of age, ancestry, color genetic information, learning disability, marital status, mental disability (past or present), intellectual disability, national origin, physical disability, race, religious creed, sex, including pregnancy, sexual harassment, gender identity or expression, sexual orientation, criminal record (in state employment and licensing) or previously opposed discrimination unless provisions of Connecticut General Statutes 46a-60(b), 46a-80(b), or 46a-81(b) are controlling or there is a bona fide occupational qualification excluding individuals. Employees whose jobs bring them in contact with reproductive hazards are also protected under this policy statement. INDIVIDUALS HAVE THE RIGHT TO FULLY UTILIZE THIS COMPLAINT PROCEDURE WITHOUT JEOPARDIZING THEIR PROSPECTIVE OR CURRENT EMPLOYMENT STATUS.

The components of the Affirmative Action Discrimination Complaint Procedure are as follows:

1. The Office of Equal Opportunity and Diversity will receive all written and/or verbal complaints of discrimination directly from an employee or upon referral from a supervisor who has received a discrimination complaint from an employee. All complaints alleging discrimination or retaliation should be filed as soon as possible after the alleged act of discrimination, and, absent extenuating circumstances, no later than thirty (30) days of the alleged act.

2. Each complaint received will be evaluated by the Office of Equal Opportunity and Diversity who will, with the approval of the EEO Director/Manager or Specialist 2, make a determination as to whether: (1) the matter complained of is plausibly related to the individual's protected class status of age, ancestry, color genetic information, learning disability, marital status, mental disability (past or present), intellectual disability, national origin, physical disability, race, religious creed, sex, including pregnancy, sexual harassment, gender identity or expression, sexual orientation, criminal record (in state employment and licensing) or previously opposed discrimination unless provisions of Connecticut General Statutes 46a-60(b), 46a-80(b), or 46a-81(b) are controlling or there is a bona fide occupational qualification excluding individuals, employees whose jobs bring them in contact with reproductive hazards are also protected under this policy statement; (2) the subject of the complaint is confined to Department policies and/or personnel; (3) the allegations of discrimination are potentially subject to verification by investigation confined to Department policies and personnel; and (4) the complaint would be more appropriately investigated and/or resolved in some manner other than the Department's Discrimination Complaint Procedure.

3. All complaints except those not retained by the evaluation process outlined in Item 2 above will be recorded by the Office of Equal Opportunity and Diversity on the Intake Complaint Form which will be reviewed, signed, and returned to the Office of Equal Opportunity and Diversity by the Complainant. The Complainant will also receive the Investigative Guide that includes a list of "Additional Discrimination Complaint Agencies" which explains the other avenues of appeal/redress open to him/her.

4. The Respondent's answer to the allegations will be recorded by the Office of Equal Opportunity and Diversity which will be reviewed, signed, and returned to the Office of Equal Opportunity and Diversity by the Respondent.

5. All complaints will be investigated by the Department's Office of Equal Opportunity and Diversity no later than ninety (90) days after the date the complaint was filed with the Office of Equal Opportunity and Diversity.

6. The Complainant and the Respondent(s) will be notified by the Office of Equal Opportunity and Diversity regarding the results of the investigation and any recommended remedial action to be taken, if necessary.

7. Should the Complainant disagree with the decision issued by the Office of Equal Opportunity and Diversity, he/she can still avail himself/herself of any of the other avenues of redress previously explained (see Number 3).

8. In the event of a complaint against the Office of Equal Opportunity and Diversity, Complainant(s) are advised to utilize the complaint procedure of the Connecticut Commission on Human Rights and Opportunities or the Equal Employment Opportunity Commission.

9. The Office of Equal Opportunity and Diversity takes all necessary steps to ensure the confidentiality of all Discrimination Complaints filed to the extent provided by law.

10. Complainants are made aware in writing that they can file discrimination complaints with the organizations listed below, up to one hundred eighty (180) days after the date(s) of alleged act(s) of discrimination or the date(s) that they became aware of the alleged discriminatory act(s) or within two years in State or federal District Court.

Connecticut Commission on Human  
Rights and Opportunities  
Eastern Region  
100 Broadway  
Norwich, CT 06360  
Telephone: 860-886-5703  
TDD: 860-886-5707

Equal Employment Opportunity Commission  
Boston Area Office  
John F. Kennedy Federal Office Building  
475 Government Center,  
Boston, MA 02203  
Telephone: 1-800-669-4000  
TTY: 1-800-669-6820

Connecticut Commission on Human  
Rights and Opportunities  
Southwest Region  
350 Fairfield Avenue, 6<sup>th</sup> Floor  
Bridgeport, CT 06604  
Telephone: 203-579-6246  
TTY: 203-579-6246

Connecticut Commission on Human  
Rights and Opportunities  
Capitol Region  
999 Asylum Ave.  
Hartford, CT 06105  
Telephone: 860-566-7710  
TDD: 860-566-7710

Connecticut Commission on  
Human Rights and Opportunities  
West Central Region  
Rowland State Government Center  
55 West Main Street, Suite 210  
Waterbury, CT 06702  
Telephone: 203-805-6530  
TDD: 203-805-6579

**Subject:** Affirmative Action  
Discrimination Complaint Procedure

# Memorandum

**Date:** January 15, 2016

**To:** ALL CONCERNED

**From:** James P. Redeker  
Commissioner

It is the established policy of the Department of Transportation (Department) to guarantee equal employment opportunity and to take affirmative action to overcome the present effects of past discrimination. All services and programs of the Department will be affirmatively administered in a fair and impartial manner. Equal employment opportunity is employment without consideration of the individual's protected class status of age, ancestry, color genetic information, learning disability, marital status, mental disability (past or present), intellectual disability, national origin, physical disability, race, religious creed, sex, including pregnancy, sexual harassment, gender identity or expression, sexual orientation, or criminal record (in state employment and licensing), or previously opposed discrimination unless provisions of Connecticut General Statutes 46a-60(b), 46a-80(b), or 46a-81(b) are controlling or there is a bona fide occupational qualification excluding individuals. Employees whose jobs bring them in contact with reproductive hazards are also protected under this policy statement.

Additionally, the Department recognizes that sexual harassment is a form of sex discrimination and has established a separate comprehensive Sexual Harassment Prevention Policy and Reporting Procedure. Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct, which are used as a condition of employment and/or create an intimidating, hostile, or offensive working environment will not be tolerated. It is the Department's policy that all employees, volunteers, contractors, subcontractors, vendors, visitors, parties, and others have a right to work and be in an environment free of discrimination, which encompasses freedom from sexual harassment. Sexual harassment undermines the integrity of the workplace and the personal dignity of the individual and will not be tolerated.

This policy complies with all applicable federal and State constitutional provisions, laws, regulations, guidelines, and executive orders. It is the intention of this Department to adhere to both the letter and spirit of these laws and regulations. It is the goal of this Department to ultimately achieve full utilization of minorities, women, older persons, persons with disabilities, and other protected classes within the Department's work force.

In order to continue meeting its lawful obligations in this area, the Department provides a procedure to handle discrimination complaints. Attached to this memorandum is a copy of the Affirmative Action Discrimination Complaint Procedure.

**IT MUST BE STRESSED THAT ALL INDIVIDUALS HAVE THE RIGHT TO UTILIZE THIS COMPLAINT PROCEDURE WITHOUT IN ANY WAY JEOPARDIZING THEIR CURRENT OR PROSPECTIVE EMPLOYMENT STATUS.**

Any questions regarding the filing of an Affirmative Action Discrimination Complaint and/or the Affirmative Action Discrimination Complaint Procedure can be directed to the Affirmative Action Division of the Office of Equal Opportunity and Diversity at (860) 594-2211, TTY (860) 594-3090, or Fax No. (860) 594-3060.

Attachment

List 1